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HOUSING REFORM THROUGH LEGISLATION

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In these days when all things are being challenged it is perhaps not inappropriate for the efficacy of housing reform through legislation to be also called in question. Perhaps it is just as well that this should be so, for it enables us to review the grounds upon which the movement for housing reform is based.

To the social reformer who believes that the solution of the housing problem is to be found in a change in methods of taxation or in a new industrial era this article will have but little interest. How delightful it would be to be able to believe that all that is needed to bring about proper housing conditions is a change in the economic status of the working people! That given enough wages, slums would vanish! Flying carpets, wishing caps and magic philters have from time immemorial always had an indescribable charm for humanity. But alas, it is not to be done so easily! City slums cannot by the wave of a necromancer's wand become gardens of delight.

Those of us who are veterans in the cause of housing reform—though perhaps it is a little embarrassing to have to admit being a veteran in any cause—have been conscious for some time past that the “younger statesmen” have been getting restive and dissatisfied with the methods heretofore employed in this country in attempting to solve the housing problem. I am not quite sure whether we ought to call our friends “post-impressionists” or whether they do not more truly belong to the cubist and futurist schools, for the field of social reform as well as that of art is blessed with these manifestations of ultra-modern thought.

I must confess that it is rather interesting to find what has been America's distinctive contribution to the solution of the housing problem called in question. For America has not excelled other countries in this movement in other respects. Its one and distinctive contribution has been its system of control of these evils through legislation.

We have not as yet at any rate developed examples of artistic

communities, either garden cities or garden suburbs, that can successfully compete with what has been done in recent years by England. Nor has America in its model houses produced results, either in our crowded cities or in our small towns, that are in any way superior to the work that has been done on the other side of the ocean—in Germany, in Great Britain or in France. Nor have we anything especially noteworthy to show in the aid which the government has extended to the housing of the workers. America as yet has done nothing in this field. Those who are interested in such aspects of housing reform must look to France, Belgium and other European countries. Municipal housing in America is unknown. In that field, therefore, the other countries of the world have little to learn from us. Nor have we developed anything especially noteworthy in systems of transit to facilitate the moving of the workers from their place of industry to homes outside of the city. Here again we must look to Europe for example. Neither can those who believe in taxation as an influence affecting housing conditions look to us for advice or aid. As yet nothing has been done in America in this direction. Here, too, we must look to Europe.

If, then, we have nothing especial to show the world in the way of results in these various directions, what, it may be asked, has America done in its seventy years of effort at housing reform which is worthy of note and which may be helpful to other communities grappling with this problem? The one distinctive contribution which America has made has been in its system of control of slums and of bad housing conditions through the enactment of regulative laws and their enforcement.

While it is true that we have been conscious of the housing problem in America for seventy years, this is true only of the one city of New York, where housing conditions are unique, and it is not at all true of the rest of the country. While bad housing conditions in greater or less degree are to be found throughout all parts of the United States as they are in all other countries, most of the evils have developed in comparatively recent years and the movement for their reform has been of very short duration. But the effort that is now being made in America to solve the housing problem is deliberately being taken along the lines of legal regulation and not in the other directions referred to at the beginning of this article. If we are going in the wrong direction, it is time we knew it.

While the testimony of the stranger within our gates is not always to be taken literally and allowance must necessarily be made for the complimentary attitude of the visitor to our shores, still the testimony that we have recently had from a representative of the Hungarian government is a striking tribute to the changed conditions which have come about in recent years in one city at least, viz: the city of New York. Dr. Nemenyi, of Budapest, sent here by the Hungarian government to study America's methods of dealing with the housing problem, in a recent interview said:

New York's tenement laws and their enforcement have no parallel anywhere in Europe. New York's handling of the tenement problem is, to European eyes, unique, admirable, impressive. Conditions in the worst of your tenements are vastly better than in the worst of Europe's. Your laws have produced this superiority.

After a four weeks' study of New York's tenements in all parts of the city, Dr. Nemenyi made this utterance and added:

The overshadowing feature of the New York tenement situation is the kind of laws you have and the way you force obedience to them.

Your tenements as a whole are far better than those of Europe, while your slums are not nearly as bad as those of many cities in Europe. Of course there are tenement house and building laws in Hungary and Europe generally, but they are not such laws as you have. They do not protect the health and lives of dwellers in the tenements as do yours, and it is for this reason that Hungary wishes to revise her laws along American lines.

An understanding of whether housing reform has been successful along certain lines or not depends a great deal upon one's conception of what housing reform is and before there can be an adequate discussion of what constitutes housing reform there must be agreement as to what the housing problem is. In other words, we must know what we are going to reform before we attempt to reform it.

There is a great variety of opinions on this subject, especially among those to whom it is more or less a new subject. Some of our friends seem to believe that the housing problem is essentially the problem of cheap houses; as some have expressed it "of providing a home for the man who cannot afford to pay more than \$9 a month." But this is a singularly misleading and restricted view of a large and complicated question. It is but one aspect of it. It would be just as appropriate to say that the problem of child welfare is the providing of milk at 4 cents a quart.

Another group believe that the housing problem is the problem of rapid transit. With their eyes fixed upon the more crowded quarters of some of the larger cities where the problem of moving back and forth the vast throngs who journey from one part of the city to another twice a day is fraught with great difficulties, they conceive that the housing problem is the problem of rapid transit and that if cheap and effective rapid transit could be once provided the housing problem would be solved. This is not a new view. We have encountered it before. Still another element believes that the housing problem is the problem of supplying a sufficient quantity of housing accommodations and that anything which tends to encourage the building of more houses will solve the housing problem, the assumption being that there is a dearth of housing accommodations and that people live under bad conditions simply because there are not enough houses to go around. There is a grain of truth in all these views. Each one is a factor involved in the housing problem, but no one of them can be truthfully said to constitute that problem.

The housing problem is the problem of enabling the great mass of the people who want to live in decent surroundings and bring up their children under proper conditions to have such opportunities. It is also to a very large extent the problem of preventing other people who either do not care for decent conditions or are unable to achieve them from maintaining conditions which are a menace to their neighbors and to the community and to civilization.

If we accept this view of what constitutes the housing problem we see that it has many sides; that it is not only an economic problem, that it is not only a question of supply and demand and of furnishing a sufficient quantity of homes, but also that the quality of the home is of vital importance. The assumption that thousands of people live under conditions such as are found in our large cities throughout America because there are no other places in which they can live is wholly unwarranted and not borne out by the facts. There is no use in dodging the question. We may as well frankly admit that there is a considerable portion of our population who will live in any kind of abode that they can get irrespective of how unhygienic it may be.

But the social reformer is in danger of having a somewhat distorted view of this question. His attention is necessarily focused to a very great extent upon the abnormal conditions which prevail.

It is very easy for him to lose sight of the fact that the great mass of the people in a country like America are not slum dwellers and do not live under the bad conditions which he sees around him. There is probably no country in the world where the individual detached house occupied by a single family, containing most of the comforts and conveniences of living, exists to the extent that it does in America. This is the normal type of home of the American wage-earner. The conditions which are found in the foreign colonies and slums of our large cities are exceptional and abnormal, symptoms of disease, not of health; conditions which of course must be dealt with. But we should not let their existence overshadow or cloud our vision with regard to the real conditions which exist.

If housing reform is not to be achieved through legislation, as it is claimed, how are we, I wonder, to remedy the main housing evils which we find in America today? Take the evil of the privy vault, for example, probably the greatest single evil that we have to face at the present time, certainly the greatest evil from a sanitary point of view. I can think of a hundred cities where privy vaults exist literally by the thousands. Each one of these, as is well recognized, is a potent source of infection to the community. If this evil is not to be remedied through legislation, I wonder how the advocates of other methods of housing reform would go to work to get rid of these privy vaults. Do they really believe that in a city of 500,000 people where there are 12,000 of these vaults in existence today, the establishment of a garden city or suburb on the outskirts in which possibly a thousand people might be housed, will get rid of the vaults?

Assuming for the sake of argument that such a garden city is established and that a goodly number of people move out to it, deserting the homes which they have previously occupied, is there anything in the experience of any city in America that would show that such homes would thereupon become vacant and in a short time be torn down and the land converted to other uses? If this were so, then it is conceivable that through such a march of events, if a sufficient number of people made this migration, that the vaults might ultimately disappear, but unfortunately there has been no such experience in the history of any community in this country or any other. It is true there has never been any development of garden cities or garden suburbs on so large a scale as to have any material effect upon the housing conditions of the great mass of a city's popu-

lation. But even if there were, the assumption that the houses thus vacated would cease to be occupied leaves out of consideration the growth of cities, the tremendous increase in population which goes on year by year in our thriving communities. Because of this growth the quarters thus vacated are immediately occupied by new groups of working people. Experience shows clearly one thing above all others, that so long as houses exist, they are likely to be occupied.

If the establishment of garden cities would not rid the city of this plague of privy vaults, I am puzzled to see in just what way the development of better transit facilities would accomplish this result. The arguments that have just been advanced in regard to garden cities seem to have equal force in this case as well. Improved transit facilities, it is true, might move many of the population to the more sparsely settled sections of the city, but it is also equally true that in such sections privies are apt to exist to a far greater extent than they do in the older sections. It is the new section, as a rule, that is unsewered and undeveloped in these directions. The tendency of better transit then would be, so far as one can see, not to remove any of the existing objectionable privy vaults, but on the contrary, probably to increase the total number of such vaults within the community.

Changes in methods of taxation, advocated as tending to encourage the building to a greater degree of new houses, would at best operate in the same manner as the development of garden cities. At best the new houses would be occupied by the well-to-do members of the community. New houses are always more expensive than old ones just as a new suit of clothes costs more than a second-hand one. I am similarly puzzled to see how the building of a group of so-called "model" houses would effect the removal of the 12,000 privy vaults in the city in question, or how government subsidies to persons wishing to build houses would work a similar reform.

The only way that I know of by which such conditions can be ended is through the enactment of laws which will compel the removal of these nuisances and the substitution of modern sanitary conveniences. This is not theory but the result of the experience of many cities.

Legislation alone, of course, will not do it. Laws must be enforced. Some of our social reformers seem to think that getting a housing law upon the statute books will change housing conditions.

Unfortunately, laws do not execute themselves and no law will do much unless an adequate system of enforcement of that law is also provided.

We have seen how legislation is necessary to get rid of the privy vault; let us take another housing evil—the evil of cellar dwellings. In many cities we find a considerable part of the population living underground, in rooms which are damp, dark and badly ventilated, rooms not fit for human beings to live in. In some cities there are many thousands of such rooms, and singularly enough, generally where such conditions exist there is no lack of proper housing accommodations.

I am here puzzled also as to how the establishment of garden cities or improvement in our systems of transit or changes in methods of taxation or government subsidies to builders of homes will drive these people from their dismal cellars. So long as these cellar rooms stay there, so long as there are landlords to derive a profit from renting them and so long as there are people poor enough and unfortunate enough to live in them, they will be occupied. There is no city in America in which it is not a common experience to find such rooms occupied in considerable number and to find in the same town a very large quantity of vacant apartments of a much more adequate and sanitary type. The only method that I know of by which the occupancy of these unfit habitations can be stopped is to forbid people to live in them. This can be done only through legislation; but even then people will live there, unless the laws are enforced.

Similarly with regard to dark rooms. By which one of the above methods now so urgently advocated can we cope with a situation which existed a few years ago in one of our large cities where it was discovered that there were over 360,000 windowless rooms in the homes of the working people—rooms without light and air, each one a potent source of danger and a serious factor in the spread and development of tuberculosis? How can a garden city or improved methods of taxation get rid of these 360,000 dark rooms? The only way I know of to get rid of a dark room is to let the light into it, to cut a window in or to tear down the house. The only way I know to stop people living in dark rooms is to forbid it and then see that the law is enforced. That such a method is effective, the experience of every city in which laws of this kind have been adopted clearly shows. True it is a painful operation. It takes time and

energy and above all things patience. It means constant effort. It means attention to innumerable details. It means foregoing, often, immediate results to secure larger future return.

And so one might go through all of the other important forms of housing evils as we know them and ask similar questions. But the answer in each case is the same. The great mass of the housing evils which we encounter today can only be remedied through legislation. If we find a city in which the men who are building houses build houses which are not fit for human beings to live in, which contain dark rooms, which have unsanitary plumbing, which do not afford adequate protection in case of fire, what way is there other than through legislation to bring about the building of the right kind of houses?

There are two other ways open, education and example. It might be possible to so impress upon builders the disadvantages to the community of such forms of construction that they would willingly forego the larger profits which result from them and adopt the more desired and less remunerative one, but unless the breed of builders becomes very different from what it has been since the beginning of the world, I fear there is little likelihood of very large results flowing from this source. Those who wish to undertake that kind of an educational campaign will, I fear, become discouraged in a short time. The prospect of securing results is not an alluring one.

Surely, someone will say, the force of example should be a potent influence. Building a group of model houses ought to influence the types of houses that other builders will build. Perhaps it ought. But the writer must confess that he has not as yet been able to discover any instance where it has worked in this way. It is very simple to put the matter to the test. Let any group of people who are taking up housing reform and who think that larger results can be obtained through these methods of education and example than through legislative action try their plan and await results. At least they will have the gratification of knowing that they are not being bound by what other people have done.

Housing is a commodity like food or clothes and the methods to be employed in securing the right kind of housing for the people of any community differ in no essential respect from the methods to be employed in providing the right kind of food or clothing for that

community. In a city where the children of the poor were dying from typhoid because of impure milk, I think we should feel that it was trifling with a serious problem if it were urged that nothing could be done through legislation but that the only way to insure a better milk supply was to encourage the people to move to the country where they could have their own cows and thus insure the right kind of supply for their children.

We should also feel that we were playing with a vital situation were it proposed to meet a crisis of this kind through the establishment of a model dairy which would furnish milk to 1 per cent of the children of the city and at the same time allow the other 99 per cent to be poisoned by bad milk. What every community has done under such circumstances has been to rise in its might and say bad milk shall not be sold. In other words, they have sought the remedy for such a condition through law and law enforcement, and they have gotten results. It is all right to establish a model dairy to encourage others and show how good milk can be produced, but this should follow an ordinance prohibiting the sale of skim milk or milk containing too large a bacterial count. No sane community would accept the establishment of one model dairy as a substitute for that kind of legislation. Good housing is to be provided in the same way.

In housing reform we need especially to beware of importations from across the sea, not because they are from across the sea—I hope no such provincial view of life controls us—but because the conditions which exist in the old-world countries are so totally different from those which prevail in America. And we are dealing with America, not Europe. We are not dealing as they are with a homogeneous population of but one race. On the contrary, we are seeking to amalgamate all races and nationalities into a new and different race from anything the world has ever seen before. Nor are we living in a monarchy where comprehensive plans may be executed by royal edict and where the habit of obedience to constituted authority has become fixed and absolute. On the contrary we are dealing with conditions that exist in a democracy where our rulers are rulers of the hour, where every man is as good as, if not better than, his neighbor, where laws are made to be broken, and where any suggestion of obedience to constituted authority is looked on as an invasion of the rights of the individual, and where liberty has become license. The methods which have been suc-

cessful in Europe have been so because they have been suited to the conditions which exist there. To be successful here we should have to engraft upon our civilization the governmental bureaucracy which we find in Europe. For these reasons the label "made in Germany" when attached to plans for housing reform should be viewed with caution.

The question which every housing reformer must face is, what method will give the largest results with the least expenditure of energy and effort? It is largely a question of emphasis. The method which will return 90 per cent of results and not 10 per cent is obviously the method to follow. No one thing will in itself solve the housing problem in any community. Housing evils are of so manifold a nature and have so many manifestations that it is of course apparent that many things must be done before right conditions can be achieved. There is no method of housing reform which the housing reformer should not adopt provided it will produce results. It must always be submitted to this practical test. In some cases all methods are to be employed, not merely one.

That legislation alone will solve the housing problem is of course absurd. Laws to be effective must be enforced. But the point that I should wish to lay emphasis upon is that in most cases the largest results have come from legislative action and that until certain fundamental evils have been remedied it is futile, or worse, to adopt the methods of housing reform which may be said to belong to the post-graduate period rather than to the kindergarten stage of a community's development. In other words, we must get rid of our slums before we establish garden cities. We must stop people living in cellars before we concern ourselves with changes in methods of taxation. We must make it impossible for builders to build dark rooms in new houses before we urge the government to subsidize the building of houses. We must abolish privy vaults before we build model tenements. When these things have been done there is no question but that effort can be profitably expended in the other directions mentioned.